

AO 440 (Rev. 10/93) Summons in a Civil Action

RETURN OF SERVICE

SERVICE OF: **SUMMONS IN A CIVIL CASE, COMPLAINT**
 EFFECTED (1) BY ME: **MALGORZATA SLADEK**
 TITLE: **PROCESS SERVER**

DATE: 07/21/2008 11:42AM

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

☐ Served personally upon the defendant:

BANNER PHYSICIANS CAPITAL, INC. AKA BANNER PHYSICIANS CAPITAL AKA BANNER CAPITAL, INC. AKA BANNER CAPITAL VENTURES, LLC, AKA BENCHMARK CAPITAL

Place where served:

127 E 56TH ST. 6TH FLOOR NEW YORK NY

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

SHRI NIVASRelationship to defendant: MANAGING AGENT

Description of person accepting service:

SEX: M AGE: 36-50 HEIGHT: 5'9"-6'0" WEIGHT: 161-200 LBS. SKIN: BROWN HAIR: BLACK OTHER: _____☒ To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

STATEMENT OF SERVER

TRAVEL \$ _____

SERVICES \$ _____

TOTAL \$ _____

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: 7 / 21 / 20 08

Malgorzata Sladek L.S.
 SIGNATURE OF MALGORZATA SLADEK
 GUARANTEED SUBPOENA SERVICE, INC.
 2009 MORRIS AVENUE
 UNION, NJ 07083

7-21-08
J. S. Velez
 JANIRA SANTIAGO VELEZ
 NOTARY PUBLIC OF NEW JERSEY
 My Commission Expires April 24, 2012

ATTORNEY: CHARLES A. GRUEN, ESQ
 PLAINTIFF: LYON FINANCIAL SERVICES, INC., ET AL
 DEFENDANT: BANNER PHYSICIANS CAPITAL, INC AKA BANNER PHYSICIANS CAPITAL AKA BANNER CAPITAL VENTURES, LLC, AKA BENCHMARK CAPITAL, ET AL
 VENUE: DISTRICT NY
 DOCKET: 08 CV 6054

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.